

Message Text

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C O N F I D E N T I A L SEOUL 9884

EO 11652: GDS
TAGS: PINT, KS
SUBJECT: KIM CHI-HA TRIAL--TENTH SESSION

REF: SEOUL 7814

SUMMARY. PROSECUTION PRESENTED SUMMARY AND DEMANDED THAT KIM CHI-HA BE SENTENCED TO TEN YEARS AT HARD LABOR. MANY OBSERVERS INCLUDING DEFENSE ATTORNEYS EXPRESSED SURPRISE AT WHAT THEY CONSIDERED TO BE MILD PUNISHMENT. END SUMMARY.

1. TENTH SESSION KIM CHI-HA TRIAL TOOK PLACE DECEMBER 14. AT NINTH SESSION ON SEPTEMBER 28, KIM CHI HAS HAD FILED CHALLENGE CLAIMING JUDGES WERE BIASED AGAINST HIM AND REQUESTING THEIR REMOVAL. THIS CHALLENGE WAS EVIDENTLY DENIED BY HIGHER COURTS ALTHOUGH WE DO NOT YET KNOW DATES OF HIGHER COURT DECISIONS.

2. PROSECUTING ATTORNEY OPENED TENTH SESSION WITH SUMMARY PRESENTATION. HE SAID EVIDENCE SHOWED KIM CHI-HA WAS A MARXIST TRYING TO HIDE BEHIND FACADE OF CATHOLIC CHURCH. HE POINTED OUT THAT A READING OF KIM'S POEM "THE POLE" REVEALED KIM'S ASPIRATIONS FOR THE EVENTUAL TRIUMPH OF COMMUNISM. HE RECALLED KIM'S RECORD OF ARRESTS FOR VIOLATION OF EM-4 AND THE ANTI-COMMUNIST LAW AND POINTED OUT THA THE CRIMINAL DEED FOR WHICH KIM NOW BEING TRIED FOR VIOLATION OF ANTI-COMMUNIST LAW WAS COMMITTED IN PRISON WHILE SERVING TERM FOR PREVIOUS OFFENSES. THE PROSECUTOR ASKED THE COURT TO SENTENCE KIM TO TEN YEARS AT HARD LABOR.

3. MANY OBSERVERS HAD EXPECTED PROSECUTION TO DEMAND HEAVIER
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SENTENCE. WHEN SESSION ENDED AND COURT FIXED DECEMBER 23

FOR NEXT HEARING, PERSONS ATTENDING TRIAL SEEMED VISIBLY
RELIEVED. A NUMBER BEGAN TO SING "WE SHALL OVERCOME" AS
THEY LEFT COURT HOUSE.

4. ONE ATTORNEY FROM KIM DEFENSE TEAM INFORMED EMBASSY LOCAL
EMPLOYEE THAT HE WAS VERY SURPRISED BY PROSECUTOR'S REQUEST.
KIM'S DEFENSE TEAM PRESUMED THAT ROKG WAS PRESSING CASE TO
GET DEATH SENTENCE. ATTORNEY OBSERVED THAT CASE WAS WASTE
OF EFFORT ON ROKG PART IF OBJECTIVE MERELY TO ADD TEN YEARS
TO LIFE TERM KIM IS NOW SERVING.
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